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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/635,389

08/06/2003

Wendell M. Smith

01251-P0011B

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04/22/2011

ST. ONGE STEWARD JOHNSTON & REENS, LLC
986 BEDFORD STREET
STAMFORD, CT 06905-5619

EXAMINER

SINGH, SATWANT K

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

04/22/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Amendment

1. The affidavit filed on 07 April 2011 under 37 CFR 1.131 has been considered but is ineffective to overcome the Suzuki (US 2003/0021442) reference.
2. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Suzuki (US 2003/0021442) reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). The affidavit filed on 07 April 2011 fails to disclose enough to show conception at the date mentioned since conception is more than just a vague idea, but must show complete disclosure to another.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SATWANT K. SINGH whose telephone number is (571)272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A Thompson/
Primary Examiner, Art Unit 2625

/Satwant K. Singh/
Examiner, Art Unit 2625

sks